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|-------------------------------|--------------------------------------------|-----------------------------|-------------|
| <b><u>APPLICATION NO:</u></b> | 25/00367/FUL                               | <b><u>CASE OFFICER:</u></b> | Reece Black |
| <b><u>WARD:</u></b>           | Roby                                       | <b><u>PARISH:</u></b>       |             |
| <b><u>LOCATION:</u></b>       | 9 Maple Way, Roby, Knowsley                |                             |             |
| <b><u>PROPOSAL:</u></b>       | ERECTION OF A SINGLE STOREY REAR EXTENSION |                             |             |

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### **Site Description**

The application site is located at 9 Maple Way, Roby and is located within an area which is designated as a Sustainable Urban Extension (SUE) in the Development Plan and is now an established residential area having been built out as a modern housing estate. The application property is a two-storey, detached dwellinghouse.

The front garden is hard surfaced by a tarmac driveway capable of accommodating a minimum of 2 no. vehicles; the plot is open-plan in layout. The private rear garden contains a small patio immediately adjacent the rear elevation of the property and is otherwise grassed.

### **Proposal**

The proposal is for the erection of a single storey rear extension.

The proposed rear extension would have a projection of 4.1m with a width of 7.8m. This would be served by a flat roof, which would measure 3.4m in height and would also contain a glass roof lantern which would attain a height of 3.7m.

The submitted plans have been amended to demonstrate that the proposed development would not result in any encroachment into the neighbouring property or the removal of the existing boundary treatment. The amended plans have no greater material impact than the original submitted plans and therefore no re-consultation with neighbours is considered necessary.

### **Consultations**

None required.

### **Representations**

This application has been publicised by letters sent to 6 neighbours.

No objections or letters of support have been received in response to the neighbour consultation; however, a neutral representation was submitted. This correspondence is largely summarised as matters pertaining to boundary disputes, potential encroachment but also raises further points. The representation is summarised as:

- How long are the building works expected to take to complete? What would be the planned working hours and days (including weekends if relevant)? Would there be any particularly noisy and disruptive phases?

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- Please confirm whether the applicant intends to serve a Party Wall Notice.
- The proposal would be built in close proximity to the boundary and potentially the other side of my fence, I would like to view the official plans before any approval is granted and to know whether the existing fence will remain in place during building.
- How deep would the foundations be and would there be any risk or impact to my property's foundations or structure.
- Will access be needed to my land during construction, either physically or for scaffolding, if so, how will this be managed and how long? Concerns due to my dog using the garden.
- Will the roof, guttering, or any eaves overhang the boundary line, if so, how will access for future maintenance be handled and agreed?
- Would the new extension affect existing drainage or rainwater run-off and how surface water will be managed to ensure it does not flow onto my land.
- Confirmation that the builder is fully insured for accidental damage.

The points raised in the representations are considered to be non-planning considerations which are not relevant material planning considerations and therefore cannot be considered for the assessment of the proposed development. Householder applications are minor applications, and any form of construction management plans are not considered necessary to determine the application. Matters pertaining to party walls, boundary walls and excavations near neighbouring buildings would not be considered to be a material planning consideration, instead these are civil matters between residents and covered further under the Party Wall Act (1996). Other points raised such as depth of foundations and wider impacts would be considered when the applicant obtains their Building Regulations. Access to a neighbouring property, or confirmation that any builders employed are fully insured would not be material planning considerations. Furthermore, drainage and run-off would not be a material planning consideration for a householder application not within a Flood Risk Area 2 or 3.

The above has been discussed verbally by phone with the resident.

Notwithstanding the above, the plans have been amended to demonstrate that the proposed rear extension would be erected 0.10m away from the party boundary, the existing shared boundary fence would be retained and for the consideration of the foundations, a note is included to state '*eccentrically loaded foundation along boundary to avoid excavation to fence line / encroachment of foundations onto neighbouring property*'. Therefore, the applicant has confirmed that there would be no encroachment, and the original Certificate of Ownership submitted with the application remains correct.

### **Planning History**

No relevant recorded planning history.

### **Relevant Policy**

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a conversion of the existing detached garage to a habitable room is considered acceptable in principle, subject to compliance with local planning policy and guidance.

#### **KNOWSLEY LOCAL PLAN: CORE STRATEGY**

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

#### **SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)**

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD (2016) is a material consideration for the purposes of this planning application and provides additional guidance in relation to householder development within Knowsley Borough.

#### **Article 35 Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

#### **ASSESSMENT**

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

The Householder Development SPD states that *single storey rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours*. It further states that *a single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling*.

The proposed development would have a projection of 4.1m, although this exceeds the 4m guidelines, it is a marginal excess, and it is considered the material impact would be negligible. Moreover, given the properties in the building row are detached, there is sufficient distance between the properties to ensure that the proposed rear extension, and the marginal excess, would not result in any adverse impact to residential amenities due to the proposals design.

The rear extension would run parallel to the shared boundary with No.7 Maple Way (erected 0.10m from the party boundary between the application site and No.7). The proposed development may result in a partial loss of light and overshadowing to the occupants of No.7, however, it is not considered this would be to an unacceptable degree given that the projection is only a fractional surplus to the policy guidance; given the acceptable projection, it would not be considered to result in any severe harm to outlook and amenity to No.7. The closest opening is also a rear access door, which contains a small window, and serves a kitchen; given that there is another window which serves the kitchen, the proposal would not unduly obstruct daylight. The proposed development would be considered to have a limited impact on the occupants of No.11 given that the proposal would be erected over 1m away from the party boundary. Openings are concentrated to the rear elevation of the proposed rear extension and subsequently no privacy issues are raised.

The proposed development would be served by a flat roof, which conflicts with the SPD and its advocacy for pitched roofs, however, given the proposed development would be single storey and confined to the private rear amenity area, it is not prominently or readily visible from the street scene and therefore is acceptable.

The SPD (6.14) outlines that *the extension should leave adequate room around the dwelling to avoid a cramped appearance within the plot. It should also leave adequate garden areas for sitting out, the storing of refuse bins, etc.*

The submitted plans show that over 50% of the rear garden would be retained and therefore ample private garden area is retained, and the proposal would not result in a cramped appearance. Existing refuse bins arrangements would not be affected, and bins can still be stored within the rear garden.

A standard condition will be applied to ensure that external facing materials to be used on the proposal would match and emulate those found on the existing dwelling.

## **HIGHWAYS**

The completed development is for a rear kitchen extension. The proposed rear extension would not increase the number of bedrooms or remove any existing parking provisions. Consequently, the proposal would not impact on existing parking arrangements or pose any highway safety concerns and therefore, is acceptable.

## **Conclusion**

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

### **Recommendation**

That planning permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

## SCHEDULE 1

| Date Received | Ref. No   | Version | Drawing/Document Title                     |
|---------------|-----------|---------|--------------------------------------------|
| 14/07/2025    | 018_400   | -       | SITE LOCATION PLAN AND EXISTING BLOCK PLAN |
| 14/07/2025    | 018_402   | -       | PROPOSED BLOCK PLAN                        |
| 14/07/2025    | 018_403_A | -       | PROPOSED GROUND FLOOR PLAN                 |
| 14/07/2025    | 018_404_A | -       | PROPOSED FIRST-FLOOR PLAN                  |
| 14/07/2025    | 018_306   | -       | PROPOSED ELEVATIONS                        |
|               |           |         |                                            |

**Signed Case Officer<sup>1</sup>:**

**Reece Black**

**Signed Authorising  
Officer<sup>2</sup>:**

**Alan Kilroe**

**Date:**

**24/7/25**

### **Informatives**

Not applicable.

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<sup>1</sup> I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

<sup>2</sup> I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed